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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

10
11 AMERICAN MARINE CORPORATION dba
12 AMERICAN HYPERBARIC CENTER,

13 Plaintiffs,

14 v.

15 BLUE SHIELD OF CALIFORNIA,

16 Defendant.
17

Case No. C 11-00636 WHA

STIPULATION FOR VOLUNTARY
DISMISSAL WITH PREJUDICE
[Fed.R.Civ.P. 41(a)(1)(A)(ii)]

Judge: Hon. William H. Alsup
Courtroom.: 9
Filed: 02/11/11
Trial: Not set

18 IT IS HEREBY STIPULATED by and between plaintiff American Marine Corporation dba
19 American Hyperbaric Center and defendant Blue Shield of California, through their respective
20 attorneys of record, subject to the approval of the Court, and pursuant to Federal Rule of Civil
21 Procedure 41(a)(1), that this entire action shall be dismissed with prejudice, and that all parties shall
22 bear their own attorneys' fees and costs incurred in connection with this action. This Court shall
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1 retain jurisdiction over the parties for the purpose of enforcing the parties' separate settlement
2 agreement.

3 DATED: May 24, 2011

HOLMES WEDDLE & BARCOTT, P.C.
STERLING J. STIRES
JEFFREY J. WALLER

5 By: s/ Sterling J. Stires
6 Sterling J. Stires, Attorneys for Plaintiff
7 American Marine Corporation dba American
Hyperbaric Center

8 DATED: May 24, 2011

MANATT, PHELPS & PHILLIPS, LLP
GREGORY M. PIMSTONE
ADAM PINES

10 By: s/ Adam Pines
11 Adam Pines, Attorneys for Defendant
12 California Physicians' Service dba
13 Blue Shield of California
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DECLARATION OF SERVICE

American Marine Corporation dba American Hyperbaric Center v. Blue Shield of California
United States District Court, Northern District of California Case No. C 11-00636 WHA

Persons served:

PLEASE SEE ATTACHED SERVICE LIST

Date Served: May 26, 2011

I, the undersigned, declare under penalty of perjury that I am over the age of 18 years and not a party to this action; that I served the above-named persons with the following documents: Stipulation For Voluntary Dismissal With Prejudice [Fed.R.Civ.P. 41(a)(1)(A)(ii)], in the following manner:

☒ I attached a true copy of the above-entitled document to the CM/ECF system. I caused the above-entitled document to be sent to the recipients, as currently maintained as of the date and time of this filing on the CM/ECF system, through electronic transmission. The file transmission was reported as complete and a copy of the notification of electronic filing receipt page will be maintained with the original document in our office.

☐ By placing a copy in a separate envelope, with postage fully prepaid, for each addressee named above and depositing each in the U.S. mail at San Diego, California

☐ I caused each document to be transmitted via the facsimile number(s) listed on the attached service list. The facsimile machine I used complied with California Rules of Court, Rule 2003(3) and no error was reported by the machine pursuant to California Rules of Court, Rule 2008(e).

☐ By leaving, during usual office hours, copies in the office of the person(s) served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid), copies to the person(s) served at the place where the copies were left.

☐ By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of his/her office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.

Executed on May 26, 2011, at San Diego, California.

Stephanie Villa
Type or Print Name

Stephanie Villa
Signature

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SERVICE LIST

American Marine Corp. dba American Hyperbaric Center v. Blue Shield of California
United States District Court, Northern District of CA Case No. C 11-00636 WHA

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